

REMARKS

Applicants have amended claims 1, 2, 4-8, 10-13, 15, 16, 18, 19, 23-25, 27-32, 35 and 36. The amendments to claims 1, 31, 32, 35 and 36 merely rearrange the claim language so as to help the Examiner's understanding of the claimed structure without changing claim scope. The amendments to claims 29 and 30 add expressions inherently presented in the original claims and thus do not change claim scope. The amendments to claims 2, 4-8, 10-13, 15, 16, 18, 19, 23-25, 27 and 28 correct minor matters of English usage without changing claim scope.

Applicants thank the Examiner for indicating allowable subject matter.

Claim 24 has been rejected under 35 USC 112, second paragraph, as indefinite.

Applicants have amended the expression "said predetermined orientation" in line 4 of claim 24, for which the Examiner finds insufficient antecedent basis, to read "a predetermined orientation." Accordingly, the rejection of claim 24 under 35 USC 112, second paragraph, should be withdrawn.

Claims 1, 2, 4-7, 12-15, 19-22, 29-32, 35 and 36 have been rejected under 35 USC 102(b) as anticipated by U.S. Patent No. 5,378,628 (Grätzel). Applicants respectfully traverse this rejection.

Claim 1 recites a sensor pack comprising a sensor chip comprising a reaction portion for reacting with a test sample and a packaging material covering the sensor chip. The Examiner contends that the expression "a sensor pack formed by packing in a package material a sensor chip" in the original claim is a product-by-process limitation. Applicants point out that the sensor manufactured by such a packaging process must have a sensor chip and a packaging material that covers the sensor chip, as stated in claim 1. Accordingly, this amendment to claim 1 does not change claim scope.

The claimed sensor pack enables a user of the sample ingredient analyzing system to insert the sensor chip into the analyzing device without touching the sensor chip because the packaging material covers the sensor chip and works as a carrier of the sensor chip. See, for example, page 18, lines 1-10, of the specification. Because of this structure of the sensor pack, the user of the sample ingredient analyzing system is prevented from inadvertently touching the sample, such as blood, retained in the sensor chip.

The Examiner equates Grätzel's sensor 6 to the claimed sensor pack and collector 37 to the claimed sensor chip. However, Grätzel's sensor 6 is a rectangular wafer that has on its top surface measuring electrode 20 that includes electrical contact 34, which provides electrical contact to the analyzing device 4, conductive track 36 and current collector 37, which collects currents generated by the sample mixture 38. See, column 4, line 52 - column 6, line 14, of Grätzel. In short, Grätzel's sensor 6 corresponds only to the sensor chip of the claimed sensor pack. Grätzel fails to teach or suggest the packaging material of the claimed sensor pack. All Grätzel teaches is that a bare sensor chip without any packaging material for protection is inserted into the analyzing device. Accordingly, Grätzel does not teach or suggest the claimed sensor pack that includes the packaging material that covers the sensor chip.

Applicants have amended claim 4 to recite the packaging material so that the Examiner understands the explanation provided above.

Claim 29 states that the engaging means of the sensor chip engages with the retaining means of the analyzing device through the packaging material. The requirement that the engagement is through the packaging material is inherent in the original claim because it states that the retaining means retains the sensor chip contained in the sensor pack that has the

packaging material. Thus, this amendment does not change claim scope. As explained above, Grätzel does not teach or suggest the claimed packaging material.

Claims 30-32, 35 and 36 also recite the packaging material that contains the sensor chip. These claims included the packaging material in the original form, and thus the amendments do not change claim scope. In addition, the statement in claim 30 that the user can handle the sensor pack without touching the sensor chip is inherent in the original claim that recites the packaging material covering the sensor chip. Grätzel does not teach or suggest the claimed packaging material.

The remaining rejection relies on Grätzel and should be withdrawn as well because Grätzel does not provide the teachings for which it is cited.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. 482842000300.

Respectfully submitted,

Dated: February 9, 2003

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